

MENASHA HEALTH DEPARTMENT - RESTAURANT / RETAIL FOOD SERVICE INSPECTION REPORT

Business Name Third Street Diner/ Da Big Slice		Business Address 300 DePere Street		County Winnebago		ID # 02-32319-M	
Legal Licensee TM Kampo Investments		Mailing Address (Licensee) same		Telephone # (920) 727-9500 / 277-8470			
Date of inspection 1/3/14		Bare Hand Contact Plan in Place <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Under revision		Type of Establishment <input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Retail <input type="checkbox"/> School <input type="checkbox"/> Liq lic		Is operator Certified <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> pending <input type="checkbox"/> N/A	
Inspection Type <input type="checkbox"/> pre-inspection <input checked="" type="checkbox"/> routine inspection <input type="checkbox"/> Re-inspection <input type="checkbox"/> Complaint <input type="checkbox"/> Downtime <input type="checkbox"/> Non inspection visit				Action Taken <input checked="" type="checkbox"/> Operational <input type="checkbox"/> Conditional Permit 30 days <input type="checkbox"/> Withhold Permit <input type="checkbox"/> License suspended <input type="checkbox"/> License revoked <input type="checkbox"/> Other			
Person in Charge Michelle Kampo				CFM # and expiration CFM # expiration date			
FOODBORNE ILLNESS RISK FACTORS							
Circle designated compliance status for each item IN-in compliance OUT – out of compliance N/O – not observed N/A – not applicable				Mark an X in appropriate box for COS and/or R COS – corrected on site during inspection R - repeat violation			

COMPLIANCE STATUS			COS	R	COMPLIANCE STATUS			COS	R
DEMONSTRATION OF KNOWLEDGE					POTENTIALLY HAZARDOUS FOOD TEMPERATURE				
1A	IN	Certified food manager, duties	<input type="checkbox"/>	<input type="checkbox"/>	16	IN	Proper cooking time and temperature	<input type="checkbox"/>	<input type="checkbox"/>
1B	IN	Person in charge, ID knowledgeable, duties and responsibilities	<input type="checkbox"/>	<input type="checkbox"/>	17	NO	Proper re-heating procedures for hot holding	<input type="checkbox"/>	<input type="checkbox"/>
EMPLOYEE HEALTH					CONSUMER ADVISORY				
2	IN	Management awareness, policy present	<input type="checkbox"/>	<input type="checkbox"/>	23	IN	Consumer advisory supplied	<input type="checkbox"/>	<input type="checkbox"/>
3	IN	Proper use of reporting, restriction and exclusion	<input type="checkbox"/>	<input type="checkbox"/>	HIGHLY SUSEPTABLE POPULATIONS				
GOOD HYGENIC PRATICES					24	NA	Pasteurized foods used; prohibited foods not offered	<input type="checkbox"/>	<input type="checkbox"/>
4	IN	Proper eating, tasting, drinking	<input type="checkbox"/>	<input type="checkbox"/>	CHEMICAL				
5	IN	No discharge from eyes, nose and mouth	<input type="checkbox"/>	<input type="checkbox"/>	25	NA	Food additives approved and properly use	<input type="checkbox"/>	<input type="checkbox"/>
PREVENTING CONTAMINATION FROM HANDS					26	IN	Toxic substances properly identified, stored, used	<input type="checkbox"/>	<input type="checkbox"/>
6	IN	Hands cleaned and properly washed	<input type="checkbox"/>	<input type="checkbox"/>	CONFORMANCE WITH APPROVED PROCEDURES				
7	OUT	No bare hand contact or using approved plan	<input type="checkbox"/>	<input type="checkbox"/>	27	NA	Compliance with variance, specialized process, HACCP plan	<input type="checkbox"/>	<input type="checkbox"/>
8	IN	Adequate hand washing facilities supplied and accessible	<input type="checkbox"/>	<input type="checkbox"/>	Risk Factors: are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health interventions are control measures to prevent foodborne illness or injury.				
APPROVED SOURCE					Risk factor violations should be corrected on site during the inspection unless there is some reason that correction cannot be immediately made.				
9	IN	Food obtained from approved source	<input type="checkbox"/>	<input type="checkbox"/>					
10	NO	Food received at proper temperature	<input type="checkbox"/>	<input type="checkbox"/>					
11	IN	Food in good condition, safe, unadulterated	<input type="checkbox"/>	<input type="checkbox"/>					
12	NA	Records available, shell stock tags, parasite destruction	<input type="checkbox"/>	<input type="checkbox"/>					
PROTECTION FROM CONTAMINATION									
13	OUT	Food separated and protected	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
14	IN	Food contact surfaces cleaned and sanitized	<input type="checkbox"/>	<input type="checkbox"/>					
15	IN	Proper disposition of returned, previously served, reconditioned & unsafe food	<input type="checkbox"/>	<input type="checkbox"/>					

GOOD RETAIL PRACTICES									
Good retail practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into food. Mark an X in box if item is not in compliance. Mark an X in appropriate box for COS/R. COS – corrected on site during inspection R - repeat violation									
SAFE FOOD AND WATER			COS	R	PROPER USE OF UTENSILS				
28	NA	Pasteurized eggs used where required	<input type="checkbox"/>	<input type="checkbox"/>	41	IN	In use utensils properly stored	<input type="checkbox"/>	<input type="checkbox"/>
29	IN	Water and ice from approved source	<input type="checkbox"/>	<input type="checkbox"/>	42	IN	Utensils equipment and linen properly stored and used	<input type="checkbox"/>	<input type="checkbox"/>
30	NA	Variance obtained for specialized processing methods	<input type="checkbox"/>	<input type="checkbox"/>	43	IN	Single-use and Single service articles properly stored and used	<input type="checkbox"/>	<input type="checkbox"/>
FOOD TEMPERATURE CONTROL					44	NO	Gloves properly used	<input type="checkbox"/>	<input type="checkbox"/>
31	IN	Proper cooling methods used; adequate equip. for temperature control.	<input type="checkbox"/>	<input type="checkbox"/>	UTENSILS AND EQUIPMENT				
32	NO	Plant food properly cooked for hot holding	<input type="checkbox"/>	<input type="checkbox"/>	45	OUT	Food and nonfood contact surfaces; cleanable, properly designed, constructed and used	<input type="checkbox"/>	<input type="checkbox"/>
33	IN	Approved thawing methods used.	<input type="checkbox"/>	<input type="checkbox"/>	46	OUT	Warewash facilities; installed, maintained, and used	<input type="checkbox"/>	<input type="checkbox"/>
34	OUT	Thermometers provided and accurate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	47	IN	Non-food contact surfaces clean	<input type="checkbox"/>	<input type="checkbox"/>
FOOD PROTECTION					PHYSICAL FACILITIES				
35	IN	Food properly labeled original container	<input type="checkbox"/>	<input type="checkbox"/>	48	IN	Hot and cold water available, under pressure	<input type="checkbox"/>	<input type="checkbox"/>
36	IN	Pests and animals not present, no unauthorized persons	<input type="checkbox"/>	<input type="checkbox"/>	49	IN	Plumbing installed; proper backflow devices	<input type="checkbox"/>	<input type="checkbox"/>
37	IN	Contamination prevented during food preparation storage and display	<input type="checkbox"/>	<input type="checkbox"/>	50	IN	Sewage and wastewater properly disposed	<input type="checkbox"/>	<input type="checkbox"/>
38	IN	Personal cleanliness, jewelry	<input type="checkbox"/>	<input type="checkbox"/>	51	IN	Toilet facilities, properly constructed, supplied and clean	<input type="checkbox"/>	<input type="checkbox"/>
39	IN	Wiping cloths; properly used and stored	<input type="checkbox"/>	<input type="checkbox"/>	52	IN	Garbage and refuse, properly disposed facilities and maintained	<input type="checkbox"/>	<input type="checkbox"/>
40	IN	Plant food cooking for hot hold Washing all fruits and vegetables	<input type="checkbox"/>	<input type="checkbox"/>	53	OUT	Physical facilities installed maintained and clean	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	54	IN	Adequate ventilation and lighting, designed and used.	<input type="checkbox"/>	<input type="checkbox"/>

Menu Review: Review Conducted ☒ yes ☐ no - New menu items ☐ Yes ☒ No New items

New processes: Does new process require variance ☐yes ☐ no

What interim step was taken pending variance

Addition to Consumer Advisory ☐ yes ☐ no New menu item which requires consumer advisory

Concerns / Corrections Suggested:

TEMPERATURES – Refrigeration/hot hold/cook					
Item / Location	Temp	Item / Location	Temp	Item / Location	Temp
walk in cooler	37°F	prep cooler line	39°F	upright refrigerator non commercial	39°F
hot hold soup	143°F	hot hold steam table	150°F	cooling fish 135 - 57 50 mins	° F
Cook ground beef	161°F	Cook fish	152°F	Cook --	° F
WAREWASHING INFORMATION					
Machine Name	Sanitization Method	Thermo Label confirmed	PPM/ temp	Sanitizer Name / Approved Y/N	Sanitizer Type
Pro Power	sanitizing machine	<input type="checkbox"/> yes <input type="checkbox"/> No	100+ppm / 119 °F rinse	chlorine <input type="checkbox"/> Yes <input type="checkbox"/> No	chlorine

CDC Risk Code Factor Abbreviations and Violation by Category Numbers Table

(Use this table to group CDC risk factor listed below with violation from page 1)

Unsafe Sources (US)	Inadequate Cooking (IC)	Improper Hold (IH)	Cross Contamination (CC)	Personal Hygiene (PH)	Other CDC Factors (O)
9	16	18	13	3	1A
10	17	19	14	4	1B
11		20	15	5	2
12		21		6	23
		22		7	24
				8	25
					26

For each violation cited, use above table and record CDC Risk Code Factor abbreviation (such as “US” or “IH”), violation number, list from the Wisconsin Food Code (WFC) the reference number that refers to the area in violation.

Record CDC risk code abbreviation, violation # from 1st page, violation description, Food Code reference, corrective action, and score.

CDC Code	Violation number P- Priority Pf- Priority Foundation	Description of violation, WFC Reference Number including code reference text / Corrective Action Required – Note date(s) of repeat violations on previous inspections.	Compliance Date/ Corrected on site (COS)
PH	7 <input type="checkbox"/> P <input checked="" type="checkbox"/> Pf <input type="checkbox"/> C	<p>The previously approved bare hand contact plan no longer meets the requirements of the current 2013 ed. Wisconsin Food Code. Information regarding changes and additional requirements were provided ~ 30 days ago. .</p> <p>WISCONSIN FOOD CODE REFERENCE 3–301.11 Preventing Contamination from Hands. (A) FOOD EMPLOYEES shall wash their hands as specified under § 2–301.12. (B) <i>Except when washing fruits and vegetables as specified under § 3–302.15 or as specified in ¶ (D) of this section,</i> FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT. P (C) FOOD EMPLOYEES shall minimize bare hand and arm contact with exposed FOOD that is not in a READY-TO-EAT form. Pf (D) FOOD EMPLOYEES not serving HIGHLY SUSCEPTIBLE POPULATION, may contact exposed, READY-TO-EAT FOOD with their bare hands if:</p> <p>CORRECTIVE ACTION Revisions must be made to the bare hand contact plan as specified by the information provided. Failure to make the required</p>	--

		changes and provide required training shall result in the bare hand contact plan being rescinded. A written document including diagram, items to be contacted, employee health reporting forms completed and training materials will be required.	
CC	13 <input checked="" type="checkbox"/> P <input type="checkbox"/> Pf <input type="checkbox"/> C	<p>A food employee was noted placing two raw ground beef patties on a plate set on the cut board of the prep cooler, two buns were noted placed in direct contact with the raw ground beef patties also placed on the same plate. .</p> <p>WISCONSIN FOOD CODE REFERENCE</p> <p>3-302.11 Packaged and Unpackaged Food — Separation, Packaging, and Segregation.</p> <p>(A) FOOD shall be protected from cross contamination by:</p> <p>(1) Except as specified in (1) (c) below, separating raw animal FOODS during storage, preparation, holding, and display from:</p> <p>(a) Raw READY-TO-EAT FOOD including other raw animal FOOD such as FISH for sushi or MOLLUSCAN SHELLFISH, or other raw READY-TO-EAT FOOD such as vegetables, P and</p> <p>(b) Cooked READY-TO-EAT FOOD; P</p> <p>(c) <i>Frozen, commercially processed and packaged raw animal FOOD may be stored or displayed with or above frozen, commercially processed and PACKAGED, READY-TO-EAT FOOD.</i></p> <p>CORRECTIVE ACTION</p> <p>Ready to eat bun was cross contaminated by being placed in direct contact with raw ground beef patties. Bun considered adulterated due to direct contact with raw animal food product and ordered disposed of.</p>	COS
IH	21 <input checked="" type="checkbox"/> P <input checked="" type="checkbox"/> Pf <input type="checkbox"/> C	<p>Numerous items including soups, salads, gravy noted in the walk in cooler and line prep cooler without date marking. A container of macaroni salad (made in establishment) was noted with a date mark of 12/26 which is in excess of 7 days. .</p> <p>WISCONSIN FOOD CODE REFERENCE</p> <p>3-501.17 Ready-to-Eat, Potentially Hazardous Food (Time/Temperature Control for Safety Food), Date Marking.</p> <p>(A) Except when PACKAGING FOOD using a REDUCED OXYGEN PACKAGING method as specified under § 3-502.12, and except as specified in ¶¶ (D), (E), and (G) of this section, refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETYFOOD) prepared and held in a FOOD ESTABLISHMENT for more than 24 hours shall be clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature and time combination of 5°C (41°F) or less for a maximum of 7 days. The day of preparation shall be counted as Day 1. Pf</p> <p>3-501.18 Ready-to-Eat, Potentially Hazardous Food (Time/Temperature Control for Safety Food), Disposition.</p> <p>(A) A FOOD specified under ¶ 3-501.17 (A) or (B) shall be discarded if it:</p> <p>(1) Exceeds the temperature and time combination specified in ¶ 3-501.17 (A), except time that the product is frozen; P</p> <p>(2) Is in a container or PACKAGE that does not bear a date or day; P or</p> <p>(3) Is appropriately marked with a date or day that exceeds a temperature and time combination as specified in ¶ 3-501.17 (A). P</p> <p>CORRECTIVE ACTION</p> <p>All ready to eat TCS food items prepared in the establishment and refrigerated must be date marked and used or disposed of within 7 days.</p> <p>Container of macaroni salad with date mark in excess of 7 days was ordered disposed of.</p>	COS

Use this section for Good Retail Practice (GRP) Violations

Violation #	Description of violation, WFC Reference Number / Corrective Action Required	Compliance Date/ Corrected during inspection
34 <input type="checkbox"/> P <input checked="" type="checkbox"/> Pf <input type="checkbox"/> C	<p>Line food employee did not have a food thermometer available. Reheating, cooking of raw animal products and hot holding were all being done during this inspection and prior to asking to locate a food thermometer.</p> <p>WISCONSIN FOOD CODE REFERENCE 4-302.12 Food Temperature Measuring Devices. (A) FOOD TEMPERATURE MEASURING DEVICES shall be provided and readily accessible for use in ensuring attainment and maintenance of FOOD temperatures as specified under Chapter 3. Pf (B) A TEMPERATURE MEASURING DEVICE with a suitable small-diameter probe that is designed to measure the temperature of thin masses shall be provided and readily accessible to accurately measure the temperature in thin FOODS such as MEAT patties and FISH filets. Pf</p> <p>CORRECTIVE ACTION A calibrated food thermometer must be readily accessible at all times for monitoring food product temperatures including reheating for hot holding, cooking temp, and hot holding temperatures. Based on the food employee not knowing where a thermometer was - required temperatures could not have been monitored.</p> <p>A food thermometer was located by the Person in Charge in a container in the back of the kitchen. Thermometer was calibration checked and additional training provided to the food employee.</p>	COS
45 <input type="checkbox"/> P <input type="checkbox"/> Pf <input checked="" type="checkbox"/> C	<p>A non-commercial grade refrigeration unit was noted placed in the kitchen. Potentially hazardous foods were noted in the refrigeration unit.</p> <p>WISCONSIN FOOD CODE REFERENCE 4-205.11 Food Equipment, Certification and Classification. (A) Except as specified under ¶ (B) of this section, FOOD EQUIPMENT that is certified or classified for sanitation by an American National Standards Institute (ANSI)-accredited certification program is deemed to comply with Parts 4-1 and 4-2 of this Chapter.</p> <p>CORRECTIVE ACTION Refrigeration equipment must be commercial grade and meet the specifications of ANSI to be used with potentially hazardous foods in a food establishment. This refrigeration unit may not be used for potentially hazardous TCS foods and may only be used for non-potentially hazardous foods such as condiments, beverages, etc. Continued use with potentially hazardous foods shall result in the unit being ordered removed.</p>	
46 <input type="checkbox"/> P <input checked="" type="checkbox"/> Pf <input type="checkbox"/> C	<p>No sanitizer test strips were available to test sanitizer concentration of the dish machine or wipe rag buckets. Dish machine sanitizer strength was measured well in excess of 100ppm - based on rinse water temperature 25-50ppm Chlorine would be required.</p> <p>WISCONSIN FOOD CODE REFERENCE 4-302.14 Sanitizing Solutions, Testing Devices. A test kit or other device that accurately measures the concentration in mg/L of SANITIZING solutions shall be provided. Pf</p> <p>CORRECTIVE ACTION Chlorine sanitizer test strips must be obtained to monitor sanitizer concentration in the sanitizer rinse of the auto dish machine and in wipe rag buckets.</p>	
53 <input type="checkbox"/> P <input type="checkbox"/> Pf <input checked="" type="checkbox"/> C	<p>Numerous unnecessary items such as a wrench, drill, tap measure and other non-food items were noted stored on the shelves with food contact utensils and equipment.</p>	

	<p>WISCONSIN FOOD CODE REFERENCE</p> <p>6-501.113 Storing Maintenance Tools. Maintenance tools such as brooms, mops, vacuum cleaners, and similar items shall be: (A) Stored so they do not contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES; and (B) Stored in an orderly manner that facilitates cleaning the area used for storing the maintenance tools.</p> <p>6-501.114 Maintaining Premises, Unnecessary Items and Litter. The PREMISES shall be free of: (A) Items that are unnecessary to the operation or maintenance of the establishment such as EQUIPMENT that is nonfunctional or no longer used; and (B) Litter.</p> <p>CORRECTIVE ACTION All maintenance tools should be stored in an area away from food, food utensils and equipment.</p>	
<input type="checkbox"/> P <input type="checkbox"/> Pf <input type="checkbox"/> C	<p>WISCONSIN FOOD CODE REFERENCE</p> <p>CORRECTIVE ACTION</p>	

Long term controls in place

--

Critical Violations which require greater than one re-inspection and/or repeated CDC Risk Factors violation(s) which are cited on 3 consecutive inspections shall result in the issuance of a re-inspection fee. Re-inspection fees are set based on the complexity of the establishment as follows:

- **Complex restaurants \$250.00**
- **Moderate restaurants \$200.00**
- **Simple restaurants \$150.00**
- **Retail >1 M \$300.00**
- **Retail 25K-1M \$250.00**
- **Retail remaining \$200.00**

Violations must be corrected by the compliance date, unless some arrangement has been made with Menasha Health Department. Re-inspection fees will be assessed to all CDC Risk Factor violations requiring more than (1) re-inspection or if the same CDC Risk Factor violation is cited on 3 consecutive inspections. Re-inspection fees will be billed to the owner of the establishment. Failure to pay re-inspection fee shall result in the following potential legal actions:

- **Temporary revocation of license**
- **License will not be renewed pending payment**
- **Enforcement conference with licensee or licensee representative which would require signed compliance agreement.**

Operators who wish to challenge the assessment of a re-inspection fee shall submit in writing circumstances and reason that they feel the re-inspection fee should not have been assessed. This statement must be submitted to the Public Health Director. The issue will then be addressed by the City of Menasha Board of Health. Any violations and /or enforcement shall be complied with pending appeal.

The City of Menasha posts all Health Department Inspection reports on the City of Menasha Web-Site.

Inspection Narrative and information on non-violation observations and/or suggestions:

I understand and agree to comply with the corrections ordered in this report. I understand the failure to comply could result in legal action including loss of license.

PIC signature or authorized employee	Date	Sanitarian Signature Todd Drew, R.S.	Date

Food Safety Fact Sheets Attached:

<input type="checkbox"/> Employee Health	<input type="checkbox"/> Employee Reporting Agreement	<input type="checkbox"/> Personal Hygiene	<input type="checkbox"/> Bare hand contact
<input type="checkbox"/> Responsibilities of the PIC	<input type="checkbox"/> Disposable glove use	<input type="checkbox"/> Cross – Contamination	<input type="checkbox"/> Demonstration of Knowledge
<input type="checkbox"/> Cooling Procedures	<input type="checkbox"/> Thawing Procedures	<input type="checkbox"/> Active Managerial Control	<input type="checkbox"/> Certified Food Manager
<input type="checkbox"/> Consumer Advisory	<input type="checkbox"/> HACCP	<input type="checkbox"/> HACCP Hazard Analysis	<input type="checkbox"/> Serving Safe Food
<input type="checkbox"/> Pre-Inspection	<input type="checkbox"/> Time as a Health Control	<input type="checkbox"/> Allergens	<input type="checkbox"/> Thermometer Calibration
<input type="checkbox"/> Catering	<input type="checkbox"/> Cooking Temperatures	<input type="checkbox"/> Microwave Cooking	<input type="checkbox"/> Interpreting the Inspection Report
<input type="checkbox"/> Variance / HACCP	<input type="checkbox"/> Frozen Foods	<input type="checkbox"/> Receiving	<input type="checkbox"/> Chemical / Physical Contamination
<input type="checkbox"/> Common Foodborne Illnesses	<input type="checkbox"/> Outdoor Events	<input type="checkbox"/> Serving Safe Food	<input type="checkbox"/> Effective Sanitizing
<input type="checkbox"/> Organizing Coolers	<input type="checkbox"/> Date Marking		